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13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17
18 UNITED STATES OF AMERICA,) No. CR 07-00158 SI
19 Plaintiff,) STIPULATION AND [PROPOSED] ORDER
20 v.) EXCLUDING TIME
21 JONATHAN SWENSON,) 18 U.S.C. §3161(h)(8)(A) & (B)
22 Defendant.) SAN FRANCISCO VENUE

23 With the agreement of the parties in open court on June 8, 2007, the Court enters this order
24 excluding time under the Speedy Trial Act from June 8, 2007, to July 13, 2007, the next hearing
25 date. The parties agree, and the Court finds and holds, as follows:

26 1. Swenson has been charged in the indictment with one count of Possession of Child
27 pornography, in violation of 18 U.S.C. § 2252(a)(4)(B). He is out of custody on a \$100,000 secured
28 bond.

29 2. Discovery has been produced to the defendant. As defense counsel advised the Court, the
30 continuance is necessary for effective preparation, because there are numerous computer images
31 which defense counsel has inspected, but due to the number of images, counsel would like another

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1 opportunity to view, inspect or examine the images in the presence of law enforcement as mandated
2 by the Adam Walsh Act. According to defense counsel, continuing the case until July 13, 2007, is
3 necessary to review the evidence and evaluate the case.

4 3. Thus, the parties agree, and the Court finds and holds, that failure to grant a continuance
5 would unreasonable deny counsel for the defense the reasonable time necessary for effective
6 preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).
7 Finally, the parties agree, and the Court finds, that the ends of justice served by excluding the period
8 from June 8, 2007, to July 13, 2007, outweigh the best interest of the public and the defendant in a
9 speedy trial. See 18 U.S.C. § 3161(h)(A).

10 4. Accordingly, the Court sets a new hearing date on July 13, 2007, and order that the period
11 from June 8, 2007, to July 13, 2007, be excluded from Speedy Trial Act calculations under 18 U.S.C.
12 § 3161(h)(8)(A) & (B)(iv).

13 **IT IS SO STIPULATED.**

14 DATED: June 11, 2007

15 /s/ Tamara Weber
16 TAMARA WEBER
17 Special Assistant United States Attorney

18 DATED: June 11, 2007

19 /s/ Daniel P. Blank
20 DANIEL P. BLANK
21 Assistant Federal Public Defender

22 **IT IS SO ORDERED.** The parties shall appear on July 13, 2007 at 11:00 a.m. for Status
23 Conference. The time from June 8, 2007 to July 13, 2007 shall be excluded from Speedy Trial Act
24 calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv), as the ends of justice outweigh the interest
25 of the public and the Defendant in a speedy trial.

26 DATED: _____

27 
28 THE HON. SUSAN ILLSTON
United States District Judge